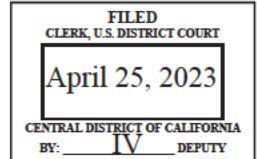


UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA



UNITED STATES OF AMERICA

v.

ROBERT RUNDO

Case Number: CR 18-759(A)-CJC-1

AFFIDAVIT IN SUPPORT OF REQUEST FOR EXTRADITION OF
ROBERT RUNDO

I, Geoffrey S. Colvin, being duly sworn, depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI"). As an FBI Special Agent, I am responsible for investigating violations of federal criminal law, including violations relating to criminal conduct of domestic terrorist groups. I have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of searches and seizures, and various other criminal laws and procedures.

2. This affidavit is submitted in support of a request by the United States for extradition of ROBERT RUNDO ("RUNDO"). I have become familiar with the evidence and the charges against RUNDO. During the investigation, I have reviewed law enforcement reports, police video surveillance and publicly available videos; social media posts and direct messages; cell phone records and messages; and computer, Internet, telephone, business, and bank records, which provided information concerning the criminal conduct of RUNDO and his co-conspirators.

3. Below, I have set forth the evidence establishing each of the two counts against RUNDO in the first superseding indictment. This affidavit does not describe all of the evidence in the government's possession.

FACTS OF THE CASE

4. From an unknown date but at least from about March 2017 to about May 2018, in the Central District of California and elsewhere, RUNDO and others conspired to travel to political rallies and to use combative tactics and physical violence against people and groups who did not support their ideology. RUNDO was a co-founder of the "Rise Above Movement" ("RAM"), a white racially motivated violent extremist organization that represented itself publicly as a combat-ready, militant group of a new nationalist white supremacy and identity movement. RUNDO described RAM to another leader of a nationwide white supremacist organization in a Discord direct message as, "serving as some sort of militant wing of the social¹ area for events and just a general group for anybody in the alt right to come and workout with." RUNDO led mixed martial arts training for RAM members to prepare for future confrontations. As described further below, in March and April 2017, RUNDO traveled to two political rallies where he assaulted others, including a police officer. RUNDO and other RAM members posted videos and pictures of RAM members on the Internet conducting training in hand-to-hand combat, often interspersed with pictures and video clips of RAM members, including RUNDO, assaulting people at political events, accompanied by messages in support of RAM's white supremacist ideology.

5. Based on messages from a Discord account² used by RUNDO, on or about March 3, 2017, RUNDO and other participants in the group chat discussed mixed martial arts training,

¹¹ "Social" or "SoCal" is a reference to the Southern California region of California

² Discord is an instant messaging social platform.

tactics to use and their desire to test their skills on “antifa”³ in preparation for a political rally the next day in San Diego:

- a. RUNDO: Lookin forward for tomorrow Gunna be a good time. See everyone tomorrow
 - b. Participant 1: No boxing tomorrow right?
 - c. Participant 2: Only if antifa gets rowdy
 - d. Participant 1: ^
 - e. Participant 2: There will probably be a bunch of cops, so I doubt anything will happen
 - f. Participant 2: @everyone should bring their gear just in case the rally is boring
 - g. Participant 2: I have to be home by 5 but we might be able to squeeze in some boxing
 - h. RUNDO: I’ll bring my gear incase
 - i. RUNDO: But it would be great to test out some skills on antifa
 - j. Participant 2: We should start training group fighting
 - k. Participant 2: 3v3, 1v2, etc⁴
 - l. RUNDO: 100%
 - m. RUNDO: But with the newer guys they gotta get the basics down first
6. Based on social media posts and Discord messages, on or about March 11 and

March 19, 2017, RUNDO and other RAM members engaged in combat training in San

³ Antifa, short for Anti-Fascist, does not describe a particular group, but rather describes people who adhere to what they consider as “anti-fascist beliefs.” The term Antifa is often associated with anarchist violent extremists, people who, in addition to holding anti-fascist beliefs, are also opposed to capitalism and the current form of the U.S. government and who advocate violence to achieve their goals.

⁴ I believe this is a reference to the formation of persons in a fighting scenario (three versus three, one versus two, etc.).

Clemente, California, to prepare to engage in violence at political events. Another user posted in Discord on or about March 18, 2017 to advertise the training led by RUNDO, “@everyone MMA [Mixed Martial Arts] Training and Sparring has moved to this Sunday, the 19th of March. Everything else is still the same. It is at Marblehead Park. The address is [Identifying an address]. Be there at 11:00 AM around the tennis courts. MINIMUM GEAR TO BRING - mouth guard and a water source. Gloves and equipment aren’t necessary, but eventually strive to get your own. [RUNDO’s Discord account number] is your point of contact. DM him with RSVP or for any questions or concerns. Once again, Saturday (tomorrow) has been moved to Sunday.” The previous training that occurred on March 11, 2017 was described by one of RUNDO’s co-conspirators in a Facebook post on the same day as a “fight club” with a picture of RUNDO, two co-conspirators and others posing in a park with boxing equipment.

March 25, 2017 Huntington Beach Rally

7. On or about March 25, 2017, RUNDO and other RAM members attended a political rally in Huntington Beach, California (“Huntington Beach Rally”). Based on a review of text messages, publicly available videos, witness and victim interviews, and social media posts, among records, a small group of counter-protestors (i.e., those protesting against the participants of the political rally) gathered during the rally nearby on the beach and began chanting. Between five and ten of the counter-protestors wore all black clothing and black masks that were associated with the anti-fascist group called “Antifa.” RUNDO and other RAM members assaulted the counter-protestors. RUNDO approached one of the counter-protestors and punched him. RUNDO turned to a second counter-protestor, punched him and threw him to the ground. RUNDO then held the counter-protestor down while he threw several punches at the counter-protestor.

8. Based on my review of RAM members' text messages and Facebook posts, starting later on March 25, 2017, after the Huntington Beach Rally concluded, and continuing into the next day, RAM members circulated a news article from the "Daily Stormer" that celebrated their violent actions at the Huntington Beach Rally. Based on my training and experience, I know that the "Daily Stormer" was a news website and online community forum that was a well-known and popular website among Neo-Nazis and white supremacy groups.

9. On or about March 27, 2017, RUNDO's co-conspirator sent a text message to a new RAM member to invite him to attend and provide "security" at a political event in Berkeley, California, on April 15, 2017 ("Berkeley Rally"), and to attend "hand to hand and formation fighting training" prior to the Berkeley Rally. On or about March 30, 2017, RUNDO's co-conspirator sent a text message to the new RAM member to ask him to recruit additional people to attend the Berkeley Rally, stating, "I want us to have a group of at least 25 so we can form up and take down anything that comes at us."

10. On or about April 1, 2017, RUNDO's co-conspirator sent text messages to confirm the new RAM member's attendance at a combat training session in advance of the Berkeley Rally, and stated, "We'll probably have equipment for shield and stick training and our formation tactics ready."

11. On or about April 9, 2017, RUNDO led another MMA training session in preparation for their participation at the Berkeley Rally. According to Discord chat logs, another user posted two announcements about training, listing RUNDO as the point of contact, on April 5 and April 7, 2017, respectively. The first announcement described two "MMA Training and Sparring" sessions were planned for Saturday, April 8, and Sunday, April 9, at Marblehead Park.

The second announcement updated the group that the Saturday, April 8, training was canceled, but Sunday's training was still taking place.

12. The new RAM member sent a text message to another member on April 7, where they described what the training sessions on Saturday and Sunday were focused on, "Hah, wish I had more info for you but it'll be my first time going too. Only details I got were 'hand to hand fighting and formation fighting'... whatever the hell that means."

13. Based on Discord communications, on or about April 13, 2017, RUNDO participated in a Discord chat specifically used to plan and coordinate attendance and actions for the Berkeley Rally. RUNDO posted a link to a YouTube video entitled, "Old Castle(CSKA) | TroubleVIDEOS" in a sub-chat entitled "Tactics" with the caption, "I was thinking something along these lines." By way of summary, the video showed various "Ultra" groups, which can be described as soccer club hooligans, engaging in group fights of six versus six and using various MMA disciplines to subdue their opponents.

14. According to car rental records, on or about April 14, 2017, RUNDO's co-conspirator rented a Chevrolet Express 15 passenger van, and used the van to transport RUNDO and other RAM members from Southern California to the Berkeley Rally. The vehicle was returned on April 16, 2017.

15. Based on a review of Discord messages, another RAM member posted into the aforementioned Discord chat specifically used to plan and coordinate attendance and actions for the Berkeley Rally, and relayed RUNDO and RAM's arrival and prior coordination for the Berkeley Rally on or about April 15, 2017. The other RAM member posted:

- a. "I think a lot of the SoCal guys are wearing gray"

- b. “coming up from Daly city⁵ from some SoCal guys”
- c. “if you see a van with /ourguys/ that’s the SoCal guys”

April 15, 2017 Berkeley Rally

16. On or about April 15, 2017, RUNDO and other RAM members attended the Berkeley Rally. Based on police records, police video surveillance footage, social media posts and direct messages, and publicly available videos, among other records, RUNDO and other RAM members wrapped their hands with athletic tape and wore matching gray shirts and black masks with white skeleton designs around their faces, and displayed a sign that stated “Defend America.” Counter-protestors appeared to protest the rally. Similar to the Huntington Beach Rally, RUNDO assaulted several counter-protestors. RUNDO led a group of RAM members and knocked over two temporary plastic fences erected by the Berkeley Police Department to separate the protest groups, to engage in multiple physical altercations with counter-protesters. RUNDO punched multiple people during the rally. In one instance, RUNDO approached a counter-protester from behind and punched him in the side of the head, knocking him to the ground. In a different physical altercation, a police officer ordered RUNDO to stop attacking the counter-protestors, and after RUNDO did not respond to the order, RUNDO punched the officer twice in the head.

17. Based on review of text messages of RAM members, on or about April 16, 2017, another RAM member described RAM’s actions at the Berkeley Rally to an associate, “I was about to jump into that but our guys were just wrecking them, like not even any room to get a hit in. I was like alrite, u guys got it handled then lol.”⁶ The associate responded, “I’ve been

⁵ Daly City is a city in Northern California.

⁶ Based on my training and experience as well as knowledge of this investigation, the RAM member stated that he was wanted to participate in the fight, but that there was insufficient space as his associates were winning the fight against the counter-protesters.

looking at videos. There's a grey-shirted storm trooper at the fucking front every, single, time. You guys were lions." The RAM member responded, "Total Aryan⁷ victory."

18. On or about April 19, 2017, RUNDO sent a text message to a co-conspirator to thank him for attending the Berkeley Rally, and then invited the co-conspirator to combat training and offered to buy lunch for all who attended.

19. RUNDO shared videos and photographs of himself committing acts of violence at political rallies in order to recruit members for future events. On or about July 22, 2017, RUNDO used the Internet to post a RAM promotional video from the RAM Twitter account, operated by RUNDO, showing RAM members assaulting counter-protestors at the Huntington Beach Rally and the Berkeley Rally.

20. On or about September 14, 2017, RUNDO posted a Twitter message containing a photograph of two RAM members assaulting counter-protestors at the Berkeley Rally with the caption, "#antiantifa #goodnightleftside #riseabovemovement."

21. On or about December 17, 2017, RUNDO used the Internet to post a promotional video to RAM's YouTube page, showing RUNDO and other RAM members assaulting persons at the Huntington Beach Rally and the Berkeley Rally, combined with videos and pictures of RAM members engaging in combat training.

22. On or about February 5, 2018, RUNDO, using the official RAM Twitter account, made a post with a photograph of RAM members covering their faces with books and the caption, "When the squads not out smashing commies... #nationalist #lifestyle."

23. Based on a review of group messages from the RAM Twitter account, operated by RUNDO, on or about May 15, 2018, RUNDO and other RAM members were invited to speak on

⁷ Used by Nazis and Neo-Nazis, the term "Aryan" can refer to "non-Jewish, white people," and can signify support for the racist beliefs and practices of Nazi Germany.

a podcast to promote RAM. RUNDO sent the following message inquiring about adding time to discuss RAM's violence at Berkeley Rally, "Maybe if there enough time could mention berkly how we were the first guys to jump over the barrier and engage and how that had a huge impact."

24. On October 10, 2018, four other RAM members were indicted in the Western District of Virginia for conspiracy to riot, in violation of Title 18, United States Code, Section 371 and rioting, in violation of Title 18, United States Code, 2101, as a result of their participation and acts of violence in connection to the Huntington Beach Rally, Berkeley Rally, and the "Unite the Right" event August 11-12, 2017 in Charlottesville, Virginia, in case *United States v. Daley et al.*, No. 18-CR-25-NKM. All four RAM members pleaded guilty and were sentenced.

25. On October 22, 2018, in Los Angeles, California, RUNDO was arrested in connection to the activities described above via a criminal complaint. On November 1, 2018, in the United States District Court for the Central District of California, RUNDO was charged in an indictment with one count of conspiracy to riot (18 U.S.C. § 371) and one count of rioting (18 U.S.C. § 2101), the same charges as the four RAM members in the Western District of Virginia. In June 2019, the United States District Court for the Central District of California dismissed the indictment and charges based on a motion from RUNDO's attorney that the charges were unconstitutional, and RUNDO was released from custody. In March 2021, after an appeal by the government, the court of appeals reversed the trial court's dismissal of the indictment, reinstated the indictment, and remanded the case back to the trial court for further proceedings. On April 27, 2022, the trial court issued an arrest warrant for RUNDO based on the charges in the indictment. On January 4, 2023, a first superseding indictment was filed charging RUNDO and his co-defendants with one count of conspiracy to riot and one count of rioting. Based on the

first superseding indictment, an updated arrest warrant was issued for RUNDO on January 4, 2023.

IDENTIFICATION AND LOCATION

26. RUNDO is a white male with brown eyes and brown hair. He was born on April 28, 1990. A photograph of RUNDO is attached as Exhibit E to the affidavit of Assistant United States Attorney Solomon Kim. RUNDO is the holder of a United States of America passport, issued on October 31, 2013 with passport number 511382593.

27. I have reviewed the photograph of RUNDO, taken from his California Department of Motor Vehicles issued driver's license, taken on February 15, 2018, and attached as Exhibit E, and determined that this photograph matches the same person depicted in the police video surveillance footage and publicly available videos from the various political rallies, as discussed above. On April 15, 2017, during the events that transpired at the Berkeley Rally, RUNDO was arrested and detained by officers of the Berkeley Police Department. According to the arrest record, RUNDO was positively identified by two officers as the person engaging in violence and disregarding officer's commands to stop. Information obtained from RUNDO and documented in the arrest record (name, date of birth, sex, and address) match the same data related to RUNDO's California Department of Motor Vehicle records for his driver's license (name, date of birth, and sex) and vehicle registration (address). On May 5, 2018, RUNDO was interviewed by Customs and Border Protection officers at the Los Angeles International Airport after arriving from Munich, Germany. During the interview, RUNDO presented the above California Department of Motor Vehicle driver's license. RUNDO also stated that he, and his group, RAM, had attended protests and specifically told officers he attended protests in

Huntington Beach, California and Berkeley, California, which coincide with the Huntington Beach Rally and Berkeley Rally.

CONCLUSION

28. This affidavit is sworn to before a Magistrate Judge of the United States District Court for the Central District of California, who is a person duly empowered to administer an oath for this purpose.

/s/ _____
Geoffrey S. Colvin
Special Agent
Federal Bureau of Investigation

I certify that this is the original affidavit, sworn to and subscribed to before me on this 25th day of April, 2023 in Los Angeles, California.

Patricia Donahue

Hon. PATRICIA DONAHUE
United States Magistrate Judge
Central District of California

Exhibit E

